HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION NO. 12057 OF 2007

DATE: 12.06.2007

BETWEEN

1. Pydiparru Gram Panchayat, rep. By its Sarpach, West Godavari District.

....Petitioner

AND

1. The Sub-Registrar, Tanuku, West Godavari District and one another .

.... Respondents

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HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION NO. 12057 OF 2007

ORAL ORDER:

The petitioner is a Gram Panchayat in West Godavari District abutting Tanuku Town and Mandal.

It is stated that in view of the recent boom in real estate business, several agencies are resorting to unauthorized layout of lands within the jurisdiction of the Gram Panchayat and having regard to the meager manpower at its disposal, the petitioner is not able to control the menace. It claims to have made a representation to the District Panchayat Officer, West Godavari District, the second respondent herein, on 7.5.2007 with a request to take action against the violators, in accordance with the rules contained in G.O.Ms. No. 67, Panchayat Raj Department, dated 26.2.2002. It is complained that in spite of such representation, the second respondent has not taken any steps and prays for necessary directions.

Heard the learned counsel for the petitioner and the learned Government Pleader for Panchayat Raj.

In a way, the petitioner seeks enforcement of rules contained in G.O.Ms.No. 67 dated 26.2.2002 prescribing the procedure for sanction of layouts. The rules empower the second respondent to take action against persons or agencies who violates the rules. Though the petitioner is also empowered to take steps, the ultimate power is vested with the second respondent. He cannot refuse to discharge his statutory obligations. The petitioner also claims relief against the first

respondent to curb the indiscriminate registration of plots covered by unauthorized layouts. This Court finds it difficult to accede to that request since the first respondent is not supposed to verify these aspects.

For the foregoing reasons, the Writ Petition is disposed of directing the second respondent to take necessary steps on the basis of the representation-dated 7.5.2007 submitted by the petitioner, within two months from the date of receipt of a copy of this order. If any further information is needed, he shall obtain the same for the petitioner. There shall be no order as to costs.

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L. NARASIMHA REDDY, J

Date: 12.06.2007
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